

9.0 PARKLANDS

This chapter describes publicly-owned parklands, recreation facilities, greenway trails and wildlife and waterfowl refuges located within the study area for the proposed LYNX Blue Line Extension Northeast Corridor Light Rail Project (LYNX BLE). It also discusses the potential effects on these resources for the alternatives under consideration in this Draft Environmental Impact Statement (EIS). Impacts to park and recreation facilities were determined based on the proximity of the identified resources to the proposed project. The types of impacts considered included: real estate acquisitions; visual impacts; noise and vibration impacts; and changing access to and from park resources. Mitigation measures are identified, where necessary.

9.1 Affected Environment

The study area for the public parklands evaluation was defined as the area located within 1,000 feet on either side of the proposed Light Rail Alternative and its design option. Information on park and recreation facilities was obtained through field surveys conducted in September and October 2009, the City of Charlotte geographic information system (GIS), Mecklenburg County GIS, the Mecklenburg County Park and Recreation (MCPR) web site and in coordination with MCPR.

No federal wildlife or waterfowl refuges were identified within the study area; and no facilities within the study area were developed with grants from the U.S. Land and Water Conservation Fund. Therefore, no park and recreation facilities regulated under Section 6(f) of the U.S. Land and Water Conservation Fund exist.


The publicly-owned park and recreation facilities within the study area are owned and operated by MCPR. Additional park and recreation resources in the corridor are located on the University of North Carolina at Charlotte (UNC Charlotte) campus, which is a state-owned university; however, park and recreation facilities located on the campus are not open to the general public, with the exception of the UNC Charlotte Fitness Trails that are currently maintained by MCPR. MCPR also has access easements on the campus for the use of trails that are part of the Mecklenburg County Greenway Plan. Coordination with UNC Charlotte regarding identification of publicly-owned recreation facilities on the state-owned campus as well as the identification of which campus recreation facilities were open for public-use was conducted in October and November 2008.


The following sections describe the existing park and recreation facilities, as well as planned and other potential future park and recreation facilities located within the study area. Existing facilities in the study area include four parks, two greenways, one recreation center (private, non-profit) and one special facility. Planned facilities in the study area include two planned greenways, the extension of an existing greenway and one greenway connector. In addition, MCPR is currently in discussion with owners of two parcels. These parcels could be transferred over to MCPR in the reasonable and foreseeable future for potential park uses.

Planned facilities are defined as those included in the MCPR's adopted plans; the *Mecklenburg County Park and Recreation Greenway Plan Update 2008*; and the *Mecklenburg County Park and Recreation 10 Year Masterplan: 2008-2018*. Most of the projects identified as part of the five-year plan are funded and committed projects. The projects that are identified as part of the ten-year plan are anticipated to receive funding through a voter-approved referendum that was passed in 2008. Existing and planned park and recreation facilities are shown on Figures 9-1a and 9-1b. The following descriptions provide the facility name, location, acreage, park type (e.g. neighborhood, regional, etc.), the amenities offered and distance to the proposed Light Rail Alternative or design option. A number is provided for each of these facilities that corresponds to the key used in Figures 9-1a and 9-1b. All facilities in the study area are located within the City of Charlotte.

9.1.1 Existing Parks and Recreation Facilities

The following section provides a brief description of existing park and recreation facilities within or partially within the study area, shown on Figures 9-1a and 9-1b.

- Cordelia Park (1): Located at 2100 North Davidson Street, is a 24-acre neighborhood park that features natural wooded areas, a stream, a full-court basketball court, an outdoor swimming pool, a playground, picnic shelters with grills, a playground and a walking trail. Cordelia Park is currently the northern terminus of the Little Sugar Creek Greenway. The western edge of the park is located approximately 900 feet southeast of the proposed Light Rail Alternative corridor between the Parkwood Station and the 25th Street Station.
- Little Sugar Creek Greenway (2): A linear park located just south of the study area and terminates at Cordelia Park. The partially completed greenway follows Little Sugar Creek and extends approximately 15 miles from the South Carolina state line to Cordelia Park. The section of the greenway located adjacent to the proposed project study area includes a multi-use trail, several neighborhood connections and a community garden. In the study area, a completed portion of the greenway is located just south of Cordelia Park at East 17th Street, approximately 950 feet east of the proposed Light Rail Alternative corridor between the Parkwood Station and the 25th Street Station. A future greenway extension through Cordelia Park is anticipated; however, it is not included in the current Greenway Plans.
- Johnston Branch YMCA (3): Located at 3025 North Davidson Street, is a 4,500 square foot recreation facility, which features a fitness center, gymnasium and indoor pool. The facility offers a variety of exercise programs and educational programs, including preschool, afterschool care, adult education and English as a Second Language. A chapel and health center are also located in the facility. All activities at the site occur indoors, with the exception of a small playground area at the rear of the building. The YMCA is a charitable, non-profit organization and access is limited to YMCA members or program participants. The site is located approximately 500 feet southeast of the proposed Light Rail Alternative corridor between the 25th Street Station and the 36th Street Station.
- Howie Acres Park (4): Located at 4200 Redwood Avenue, is a 13-acre neighborhood park that features a half-court basketball court, a picnic shelter with a grill, a playground and a walking trail. The park is located directly adjacent to the North Carolina Railroad (NCRR) right-of-way (ROW) along the east side of the proposed Light Rail Alternative corridor between the Sugar Creek Station and the Old Concord Road Station. The park has pedestrian and bicycle access points within the neighborhood at Bearwood Avenue, Redwood Avenue and Howie Circle.

Wooded buffer at Howie Acres Park.
- Eastway Park (5): Located at 423 Eastway Drive, is a planned 126-acre district sports park. Construction for Phase I of this park began in 2008. Phase I facilities will include athletic fields, restroom facilities and parking areas. Future phases of this park are planned and will be built as funding becomes available. The site is primarily wooded with some wetland areas. The park is located directly adjacent to the NCRR ROW between the proposed Sugar Creek and –Old Concord Road stations.

Wooded buffer at Eastway Park.
- UNC Charlotte Fitness Trails (6): Located on the UNC Charlotte campus just east of North Tryon Street/US-29, is a special facility that features fitness trails, fitness stations (outdoor exercise equipment), bike paths and nature trails. Wooded picnic areas and a small pond are also available to visitors. The trails are located directly adjacent to the proposed Light Rail Alternative corridor between the JW Clay Blvd. Station and the UNC Charlotte Station. The trails are open for use by the general public and are currently maintained by MCPR but campus expansion plans and changes to the existing easements for these trails, along with the planned Toby Creek Greenway Connector, will result in UNC Charlotte taking over the maintenance of these trails in the near future. The trails are located between Carolinas Medical Center–University

(CMC–University) and undeveloped portions of the UNC Charlotte campus, creating both urban and natural settings.

- Mallard Creek Greenway (7): A linear park located approximately 400 feet to the west of the Light Rail Alternative. The greenway extends approximately 4.64 miles, including 1.18 miles of the University Research Trail and extends into the northern part of the proposed Light Rail Alternative study area. This portion of the Mallard Creek Greenway consists of a multi-use paved trail that connects a portion of UNC Charlotte to Kirk Farm Fields. The greenway is located in the proposed Light Rail Alternative corridor between the UNC Charlotte Station and the Mallard Creek Church Station.
- Kirk Farm Fields (8): Located at 210 East Mallard Creek Church Road, is a 36-acre park which features soccer fields and contains the eastern end of the Mallard Creek Greenway. A nature and wetlands viewing area and boardwalk are also located within the park. The park is located directly adjacent to the proposed Light Rail Alternative corridor between the Mallard Creek Church Station and the I-485/N. Tryon Station.

9.1.2 Planned Parks and Recreation Facilities

The following is a brief description of the planned park and recreation facilities within the study area or partially within the study area, shown on Figures 9-1a and 9-1b.

- Toby Creek Greenway (9): A planned linear park that will follow Toby Creek from University City Blvd./NC-49 through the UNC Charlotte campus. The future greenway will include a multi-use trail which will connect with Mallard Creek Greenway, just east of North Tryon Street/US-29. Design for the Toby Creek Greenway trail is complete; construction started in 2009.
- Toby Creek Greenway Connector (10): A planned greenway trail connector that will connect the Toby Creek Greenway and the UNC Charlotte campus to the future Barton Creek Greenway on the west side of North Tryon Street/US-29. The planned connector will be located between the planned Toby Creek Greenway and North Tryon Street/US-29 and is currently planned to be located on an easement that was granted to MCPR by UNC Charlotte. However, plans for expansion of the UNC Charlotte campus that include additional buildings and an extension of JW Clay Boulevard will require the relocation of this easement. UNC Charlotte has agreed to provide public greenway access through the area in conjunction with their development plans. This greenway connector is included in MCPR's five-year plan.
- Barton Creek Greenway (11): A planned linear park that will be constructed on the west side of North Tryon Street/US-29 near the intersection of North Tryon Street/US-29 and JW Clay Boulevard. This planned greenway will provide a connection to the planned Toby Creek Greenway trail and the UNC Charlotte campus. It would include a multi-use trail and is included in MCPR's ten-year plan.
- Mallard Creek Greenway Extension (12): A planned linear park that will follow Mallard Creek northeast from Mallard Creek Church Road to the Mecklenburg County-Cabarrus County line. It would include a multi-use trail and is included in MCPR's ten-year plan.

9.1.3 Potential Parks and Recreation Facilities

The following is a brief description of the two parcels under discussion between MCPR and individual owners for future park and recreation facilities within the study area.

- First Ward Park: An urban park planned to be located within a mixed-use development between East 7th Street, East 9th Street and North Brevard Street. The proposed development, called First Ward Urban Village, will include office and retail space, residential units, a park and an underground parking deck. The 4.5 acre park is part of a joint-venture between a private developer, UNC Charlotte, Mecklenburg County and the City of Charlotte and is planned to be built on top of an underground parking deck. The park, which will be owned and maintained by MCPR, will be located directly adjacent to the east side of the proposed Light Rail Alternative corridor between the current terminus

of the LYNX Blue Line and the 9th Street Station. UNC Charlotte's new academic building will anchor the initial phase of the First Ward Urban Village development.

- **Cullman Avenue/Little Sugar Creek Floodplain Acquisition Project:** Located along Cullman Avenue to the east of Little Sugar Creek, is a voluntary property acquisition project initiated by Charlotte-Mecklenburg County Storm Water Services to eliminate structures within the Little Sugar Creek floodplain. The County purchased 11 properties along Cullman Avenue between 2003 and 2007. The conglomeration of these properties could provide an opportunity for the development of public open space or inactive parkland along Little Sugar Creek. The County-owned properties along Cullman Avenue are located between 150 and 500 feet west of the proposed Light Rail Alternative corridor, between the 25th Street Station and the 36th Street Station. Community involvement meetings were held in 2008 to help determine what should be developed on the site. A conceptual plan has been developed based on those meetings and includes a community garden, a walking trail, a dog park, a playground, an informal sports area and a pedestrian bridge. Formal plans have not been prepared but the potential exists for this publicly-owned land to become a parkland facility in the future with ownership being transferred to MCPR and to potentially be designed in conjunction with the proposed 36th Street Station.

9.2 Environmental Consequences

This section describes the permanent impacts (negative and positive) to park and recreation facilities that would result from the No-Build Alternative, the Light Rail Alternative and the Light Rail Alternative – Sugar Creek Design Option; only long-term impacts are discussed. Construction-related impacts, along with avoidance, minimization and mitigation measures are discussed in Chapter 18.0: Construction Impacts.

9.2.1 No-Build Alternative

No impacts to park and recreation facilities would result from the No-Build Alternative.

9.2.2 Light Rail Alternative

The proposed Light Rail Alternative would result in a potential impact to the planned Toby Creek Greenway, Kirk Farm Fields and the planned Mallard Creek Greenway Extension. Potential impacts to these facilities would be minimal or moderate, and would result from greenway crossings and visual intrusions. All other park and recreation facilities would not be negatively impacted by the proposed Light Rail Alternative. Table 9-1 lists the park and recreation facilities within the study area that would experience a potential impact under either the Light Rail Alternative or the Light Rail Alternative – Sugar Creek Design Option. The parenthetical numeric citation corresponds to the key used in Figures 9-1a and 9-1b.

Table 9-1
Summary of Potential Impacts on Park and Recreation Facilities

Resource	No-Build Alternative	Light Rail Alternative	Light Rail Alternative – Sugar Creek Design Option	Section 4(f)*
Kirk Farm Fields (8)	No impact	Potential impact	n/a	<i>de minimis</i> impact
Toby Creek Greenway (planned) (9)	No impact	Potential impact	n/a	<i>de minimis</i> impact
Mallard Creek Greenway Extension (planned) (12)	No impact	Potential impact	n/a	<i>de minimis</i> impact

*See Section 9.2.4 for additional details.

Note: n/a indicates that no additional park and recreational facilities are within the Light Rail Alternative – Sugar Creek Design Option

It is anticipated that for several park and recreation facilities, the proposed Light Rail Alternative would have a positive impact. The proximity of several proposed stations to existing park and recreation facilities would provide enhanced access, specifically for pedestrians or bicyclists, to these facilities. Accessibility to parks is a primary goal highlighted in the *Mecklenburg County Park and Recreation 10 Year Master*

Plan: 2008-2018. In particular, this plan strives to “provide transportation alternatives and to link to other transportation opportunities” by encouraging a connection of mass transit to parks and greenways. Park and recreation facilities likely to benefit from enhanced access include Cordelia Park, Little Sugar Creek Greenway, Johnson Branch YMCA, UNC Charlotte Fitness Trails, the planned Barton Creek Greenway, the planned Toby Creek Greenway, Mallard Creek Greenway and Kirk Farm Fields. An assessment of each park and recreation facility was undertaken with regards to negative affects of the proposed Light Rail Alternative. The following summarizes the assessment of impacts to existing and planned park and recreation facilities that would be negatively affected by the proposed Light Rail Alternative. Existing and planned parklands that would experience no negative impacts are not included in this discussion.

Kirk Farm Fields (8)

Kirk Farm Fields is located adjacent to the west side of the proposed Light Rail Alternative and Mallard Creek Church Station. No portion of the park would be acquired for the proposed project, nor would the existing access driveway on Mallard Creek Church Road be altered. The resource is primarily used for athletic fields, but also includes a wetland viewing area and boardwalk that is located approximately 125 feet west of the proposed Light Rail Alternative alignment and the Mallard Creek Church Station. The results of the noise and vibration general assessment (See Chapter 13.0: Noise and Vibration) indicate a potential moderate impact to the Kirk Farm Fields wetland viewing area would result from the proposed project. A detailed noise assessment, planned to be undertaken prior to the completion of the Final EIS, is needed to confirm this impact which was projected to be 0.5 of a decibel above the lower threshold for the moderate impact range.



Boardwalk at Kirk Farm Fields.

The proposed Light Rail Alternative would also result in a potential visual impact to the Kirk Farm Fields wetland viewing area as it would introduce a new visual element that would be seen by viewers on the boardwalk when looking to the south at the proposed Mallard Creek Church Station. This visual impact would be short-term in nature as existing vegetation would increase in density and maturity within the next ten to 15 years and would eventually block the view of the light rail station. This short-term visual impact would not alter the urban context of the larger setting of the boardwalk and existing conditions since viewers on the boardwalk currently have a view of Mallard Creek Church Road and its bridge over Mallard Creek from this same location. No long-term visual impacts would result since the existing vegetation would grow tall enough to sufficiently screen the light rail station from boardwalk viewers.

The proposed Light Rail Alternative would enhance access to this park as the proposed Mallard Creek Church Station would be located within a reasonable walking and bicycling distance (less than 300 feet) from the park. The potential moderate noise impact, short-term visual impact, and the improved access to the park and wetland viewing area would cumulatively result in a potential impact to this resource that overall would be not be considered significant.



Mallard Creek Greenway crossing under North Tryon Street/US-29.

Toby Creek Greenway (9) (planned)

The Toby Creek Greenway is a MCPR-planned trail within the UNC Charlotte campus. Construction of this facility began in 2009. The planned greenway would be crossed by the proposed Light Rail Alternative approximately 600 feet west of the proposed UNC Charlotte Station. The proposed alignment would cross the Toby Creek floodplain and greenway with a pre-stressed concrete bridge approximately 550 feet in length. Access to the trail would not be permanently interrupted by the Light Rail Alternative. An easement would be required in order to cross over the planned Toby Creek Greenway, similar to how the current Mallard Creek Greenway crosses under North Tryon Street/US-29. The proposed Light Rail Alternative would result in a potential impact to this planned trail as natural areas would be replaced with views of the proposed project. The proposed Light Rail Alternative would enhance pedestrian and

bicycle access to the Toby Creek Greenway as the proposed UNC Charlotte Station would be within a reasonable walking and bicycling distance (approximately 600 feet) of the trail.

Mallard Creek Greenway Extension (12) (planned)

The Mallard Creek Greenway Extension will extend the current greenway terminus at Kirk Farm Fields in Mecklenburg County northeast to the border of Cabarrus County. The proposed Light Rail Alternative would cross the planned greenway extension approximately 200 feet north of Kirk Farm Fields. A minimum clearing of approximately 70 feet in width would be required for the bridge over the Mallard Creek floodplain. Permanent access to the greenway would not be interrupted since a pre-stressed concrete bridge (approximately 700 feet in length) would span the Mallard Creek floodplain and greenway. The future trail would pass under the bridge, similar to how the current Mallard Creek Greenway crosses under North Tryon Street/US-29. An easement would be required for the bridge structure. The proposed Light Rail Alternative would result in a potential impact to this planned trail as the natural setting would be altered by the proposed project; however, trail activities would not be disrupted. Development of the proposed Light Rail Alternative would enhance access to this planned greenway as the proposed Mallard Creek Church Station would be located within a reasonable walking or bicycling distance (less than 300 feet) from the greenway.



Future Mallard Creek Greenway Extension at Kirk Farm Fields.

9.2.3 Light Rail Alternative – Sugar Creek Design Option

The Light Rail Alternative – Sugar Creek Design Option would not result in additional impacts to park and recreation facilities, as there are no additional park and recreation facilities within the Light Rail Alternative – Sugar Creek Design Option. However, under this design option, Howie Acres Park and Eastway Park would be located farther from the proposed project. As such, the proposed project under this design option would enhance access to these park facilities to a lesser degree.

9.2.4 *De Minimis* Section 4(f) Impacts Findings

Section 4(f) of the U.S. Department of Transportation (USDOT) Act of 1966, as amended, protects historic resources, public parks and wildlife refuges from conversion to transportation uses unless: (1) it can be demonstrated that there is no feasible or prudent alternative to the use of such land, and (2) such use includes all possible planning to minimize harm to these resources. Section 4(f) applies to historic sites regardless of ownership, but only to publicly-owned parks, recreation areas and refuges.

Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), legislation established in 2005, authorizes the federal surface transportation programs for highways, highway safety, and transit for the five-year period 2005-2009. SAFETEA-LU also revises Section 4(f) for the first time since 1966. The legislation amends both Title 49 U.S.C. Section 303 and Title 23 U.S.C. Section 138 simplifying the process and allowing for the approval of projects that would have only *de minimis* impacts on those lands identified during the Section 4(f) analysis. This new provision allows USDOT agencies to make a *de minimis* finding in situations where impacts to Section 4(f) resources would be minimal.

The FTA and CATS informed MCPR, the local agency with jurisdiction over the resources, of their intent to propose *de minimis* findings for each of the following resources: Kirk Farm Fields; the planned Toby Creek Greenway; and the planned Mallard Creek Greenway. A copy of this letter detailing the basis for the *de minimis* findings and MCPR's concurrence with this proposed finding is contained in Appendix B: Agency Correspondence. In addition, FTA is seeking public review/input on this *de minimis* finding as part of the Draft EIS circulation/public hearing and a final determination will be included in the Final EIS.

9.3 Mitigation

The following discusses mitigation measures associated with the identified permanent and direct impacts to park and recreation facilities.

9.3.1 Light Rail Alternative

The following mitigation measures will be undertaken for each facility to minimize potential moderate impacts to parklands:

Kirk Farm Fields

- A detailed noise assessment will be conducted prior to the completion of the Final EIS to further evaluate the potential for impact to this resource and to identify if mitigation measures are required. CATS has coordinated with the MCPR regarding the potential moderate noise impact to this resource and the agency has indicated that these impacts are a minor concern (Appendix B: Agency Coordination). Further coordination with MCPR will occur if the predicted noise levels from the detailed noise assessment indicate that a moderate impact would result, and MCPR input will be sought as to whether mitigation is feasible and prudent.

Toby Creek Greenway (planned)

- Vegetative screens will be maintained to the extent practicable, and where existing vegetation must be removed, landscaping will be planted where the ROW width would allow.
- CATS will coordinate with MCPR to ensure that the bridge would not conflict with the Toby Creek Greenway (planned).
- CATS will coordinate with MCPR to minimize impact to the Toby Creek Greenway (planned) during construction of the proposed Light Rail Alternative.
- CATS will notify MCPR 48 hours in advance of temporary closure of greenways due to construction.

Mallard Creek Greenway Extension (planned)

- Vegetative screens will be maintained to the extent practicable, and where existing vegetation must be removed, compatible landscaping will be planted where the ROW width allows.
- CATS will coordinate with MCPR to minimize bridge conflicts with Mallard Creek Greenway Extension (planned).
- CATS will notify MCPR 48 hours in advance of temporary closure of greenways due to construction.



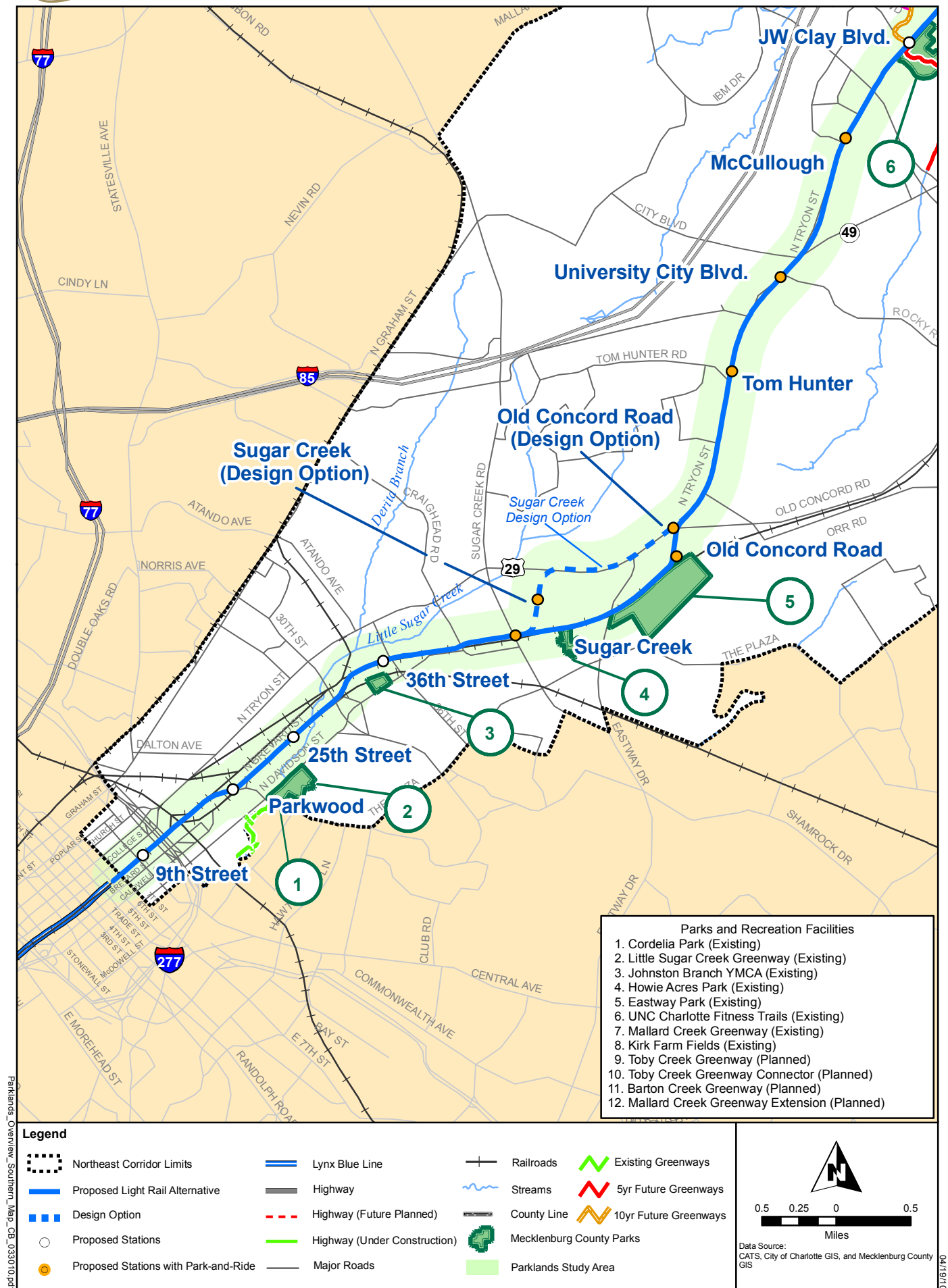
Example of bridge type proposed over Mallard Creek Greenway Extension (planned).

The proposed Light Rail Alternative could also provide an opportunity for inclusion of public spaces within the station areas that could serve park-like functions. Opportunities for the design of public spaces at station locations are possible at Parkwood Station, 36th Street Station, JW Clay Blvd. Station and UNC Charlotte Station. CATS will coordinate with MCPR to determine a suitable way to provide a connection between the greenway and the proposed Mallard Creek Church Station.

First Ward Park has not been evaluated for environmental consequences due to the currently limited information regarding this facility and unknown nature of its future park amenities. However, CATS is attentive of the project and will continue to coordinate the 9th Street Station design and construction with the developer of this adjacent project. CATS will also coordinate with Mecklenburg County regarding the Cullman Avenue/Little Sugar Creek Floodplain Acquisition Project, if necessary.

9.3.2 Light Rail Alternative – Sugar Creek Design Option

No mitigation beyond that listed for the Light Rail Alternative is proposed, as there are no additional impacts that would result from this design option.



Park and Recreation Facilities in Northern Portion of Corridor

